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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,809	12/31/2001	Ge Nong	01-HK-048 (STMI01-01048)	5323
7590 Lisa K. Jorgenson STMicroelectronics, Inc. 1310 Electronics Drive Carrollton, TX 75006	03/06/2007		EXAMINER MURPHY, RHONDA L	
			ART UNIT 2616	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	03/06/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

SK

Office Action Summary	Application No.	Applicant(s)	
	10/036,809	NONG, GE	
	Examiner	Art Unit	
	Rhonda Murphy	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 January 2007.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-20 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 13 December 2001 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This communication is responsive to the Request for Continued Examination (RCE) filed on 1/25/07. Accordingly, claims 1-20 are currently pending in this application.

Response to Arguments

1. Applicant's arguments filed 1/25/07 have been fully considered but they are not persuasive. Applicant argues Krishna fails to teach N input buffers internal to said switch fabric and N output buffers internal to said switch fabric. However, Examiner respectfully disagrees and would like to direct the applicant's attention to the rejection of claims 1, 4, 7 and 14 below. Although Krishna fails to explicitly call the network device 49 a switch, the network device, which includes the fabric to switch data packets, functions as a switch. It would have been obvious to one skilled in the art to use Krishna's network device 49 as a switch for switching data packets through the network. Thus, the N input buffers (queues 56, 57, 58) and the N output buffers (queues 65) are internal to the network device/switch fabric.

2. Applicant further argues Krishna fails to teach the input buffers receiving at a first data rate and the output buffers outputting at the first data rate. In addition, on page 10 of the arguments, applicant asserts Krishna's statement about capacity of the input and output links does not appear to indicate that it has anything to do with a data rate. However, Examiner respectfully disagrees. Krishna discloses in col. 9, lines 6-9, "The rate at which packets are dequeued from the output port queues 65 depends upon the

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data rates of the output data links 62, 63, and 64. In this draft, it is assumed that the input and output links are of the same capacity." Therefore, the data rate of the input links and buffers and the data rate of the output links and buffers are at the same data rate.

Specification

1. The disclosure is objected to because of the following informalities:
2. On page 1, lines 6 and 9, the attorney docket numbers should be replaced with the application serial numbers.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1- 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishna et al. (US 6,563,837).

Regarding claims 1 and 4, Krishna teaches a network device (Fig. 1; device 49) comprising: N input buffers (queues 56, 57, 58) to receive incoming fixed-size data packets at a first data rate and to output said fixed-size data packets at a second data

rate equal to at least twice said first data rate (col. 8, lines 34-38), wherein said N input buffers are internal to said network device (see Fig. 1);

N output buffers (queues 65) to receive fixed-size data packets at said second data rate (col. 8, lines 10-15, 34-38) and to output said fixed-sized data packets at said first data rate (col. 9, lines 6-9), wherein said N output buffers are internal to said switch fabric (see Fig. 1);

and a bufferless, non-blocking interconnecting network (Fig. 1, col. 3, lines 63-65; col. 6, lines 60-61; channels 80 – 88 form crossbar 89, which does not include any buffers) to receive from said N input buffers said fixed-size data packets at said second data rate and to transfer said fixed-size data packets to said N output buffers at said second data rate (col. 8, lines 10-15, 34-38).

Krishna fails to explicitly call the network device 49 a switch. However, the network device, which includes the fabric to switch data packets, functions as a switch.

Therefore, it would have been obvious to one skilled in the art to use Krishna's network device as a switch for switching the data packets through the network.

Regarding claims 2 and 5, Krishna teaches a bufferless, non-blocking interconnecting network, comprising a bufferless crossbar (Fig. 1, col. 3, lines 63-65; col. 6, lines 60-61; channels 80 – 88 form crossbar 89, which does not include any buffers).

Regarding claims 3 and 6, Krishna teaches each of said N input buffers is at least twice the size of each of said N output buffers (see Fig. 1).

Regarding claims 7 and 14, Krishna teaches a plurality of fixed-size data packet switches (all elements of Fig. 1, col. 7, lines 35-36), at least one of said fixed-size data packet switches comprising:

N input ports to receive incoming fixed-size data packets at a first data rate and to output said fixed-size data packets at said first data rate (Fig. 1, ports 50, 51, 52; col. 8, lines 34-38);

N output ports to receive fixed-size data packets at said first data rate (ports 59, 60, 61; col. 8, lines 10-15) and to output said fixed-sized data packets at said first data rate (col. 9, lines 6-9); and

a network device (device 49; col. 6, lines 60-61) interconnecting said N input ports and said N output ports (see Fig. 1) comprising:

N input buffers (queues 56, 57, 58) to receive incoming fixed-size data packets at a first data rate and to output said fixed-size data packets at a second data rate equal to at least twice said first data rate (col. 8, lines 34-38), wherein said N input buffers are internal to said network device (see Fig. 1);

N output buffers (queues 65) to receive fixed-size data packets at said second data rate (col. 8, lines 10-15, 34-38) and to output said fixed-sized data packets at said first data rate (col. 9, lines 6-9) wherein said N output buffers are internal to said switch fabric (see Fig. 1); and

a bufferless, non-blocking interconnecting network (Fig. 1, col. 3, lines 63-65; col. 6, lines 60-61; channels 80 – 88 form crossbar 89, which does not include any buffers) to receive from said N input buffers said fixed-size data

packets at said second data rate and to transfer said fixed-size data packets to said N output buffers at said second data rate (col. 8, lines 10-15, 34-38).

Krishna fails to explicitly call the network device 49 a switch. However, the network device, which includes the fabric to switch data packets, functions as a switch.

Therefore, it would have been obvious to one skilled in the art to use Krishna's network device as a switch for switching the data packets through the network.

Regarding claims 8 and 15, Krishna teaches a bufferless, non-blocking interconnecting network comprising a bufferless crossbar (Fig. 1, col. 3, lines 63-65; col. 6, lines 60-61; channels 80 – 88 form crossbar 89, which does not include any buffers).

Regarding claims 9 and 16, Krishna teaches each of said N input buffers is at least twice the size of each of said N output buffers (see Fig. 1).

Regarding claims 10 and 17, Krishna teaches a scheduling controller to schedule transfer of said fixed-size data packets from said N input ports to said switch fabric (arbiter 90; col. 8, lines 24-38).

Regarding claims 11 and 18, Krishna teaches a scheduling controller scheduling the transfer of said fixed-size data packets from said N output ports to an external device (col. 8, lines 5-15; 24-38).

Regarding claims 12 and 19, Krishna teaches a scheduling controller scheduling the transfer of said fixed-size data packets from said N input buffers to said bufferless, non-blocking interconnecting network (col. 8, lines 5-15; 24-38).

Regarding claims 13 and 20, Krishna teaches a scheduling controller scheduling the transfer of said fixed-size data packets from said N output buffers to said N output ports (col. 8, lines 5-15; 24-38).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda Murphy whose telephone number is (571) 272-3185. The examiner can normally be reached on Monday - Friday 9:00 - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rhonda Murphy
Examiner
Art Unit 2616

RM



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